

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Call to Order: Chair Rob Cook, on February 17, 2017 at 8:00 AM, in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Rob Cook, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Rep. Nancy Ballance (R)
Sen. Mary Caferro (D)
Rep. Jon A. Knokey (R)
Sen. Albert Olszewski (R)
Rep. Marilyn Ryan (D)

Members Excused: None

Members Absent: None

Staff Present: Quinn Holzer, Legislative Branch
Carolyn Tschida, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: Executive Action Section B

EXECUTIVE ACTION

00:00:55 Chair Cook

00:01:09 **Motion/Vote:** Rep. Cook moved **TO ACCEPT THE LFD FEBRUARY MEDICAID ESTIMATES**. Motion carried unanimously by voice vote.

00:02:18 Quinn Holzer, Legislative Fiscal Division (LFD)

00:02:42 Chair Cook

00:02:54 Quinn Holzer, LFD

00:03:19 **Motion/Vote:** Rep. Cook moved **TO RECONSIDER THAT INITIAL MOTION**. Motion carried unanimously by voice vote.

00:03:48 **Motion:** Rep. Cook moved **TO ACCEPT THE FEBRUARY LFD ESTIMATES FOR MEDICAID AND THE MOTION ALSO INCLUDES THE DP 50 PACKAGE, SO APPLY THE ESTIMATES FROM THE LFD AND APPLY DP 50**.

00:04:13 **Substitute Motion:** Sen. Caferro made a substitute motion **TO SEGREGATE OUT DP 50**

Discussion:

00:04:32 Chair Cook

00:04:47 Rep. Ryan

00:04:56 **Vote:** Motion carried unanimously by voice vote.

00:05:27 Chair Cook

00:05:38 Sen. Caferro

00:06:34 Chair Cook

00:07:10 **Motion:** Sen. Caferro moved **TO SEGREGATE OUT DP 50 FROM THE MEDICAID ESTIMATE AND VOTE JUST ON THE INITIAL FEBRUARY LFD ESTIMATE**.

00:07:29 Chair Cook

00:07:45 **Vote:** Motion carried unanimously by voice vote.

00:07:54 **Motion/Vote:** Rep. Cook moved to **APPLY DP 50**. Motion carried 5-2 by roll call vote with Sen. Caferro and Rep. Ryan voting no.

00:08:43 Rep. Ballance

00:09:05 **Motion:** Rep. Cook moved **TO MOVE TO APPLY 1/3 OF THE DIFFERENCE BETWEEN THE LFD PROJECTION, THE GENERAL FUND PROJECTION FOR MEDICAID SPENDING, THE DIFFERENCE BETWEEN THE DEPARTMENT'S PROJECTION AND THE LFD ESTIMATE AND THAT MONEY WILL GO TO HRD TO FIND IT'S BEST USE.**

Discussion:

00:09:40 Rep. Ballance
00:09:51 Chair Cook
00:10:05 Sen. Olszewski
00:10:09 Chair Cook
00:10:55 Sen. Olszewski
00:11:08 Quinn Holzer, LFD

00:11:23 **Vote:** Motion carried unanimously by voice vote.

00:11:42 Chair Cook

00:12:00 **Motion/Vote:** Rep. Cook moved **DP 4004 WHICH IS THE BOULDER DEVELOPMENT FUND, ONE TIME ONLY.**
Motion carried unanimously by voice vote.

00:13:07 Chair Cook

00:13:40 **Motion:** Sen. Caferro moved **DP 22120 LIFESPAN RESPITE.**

Discussion:

00:14:47 Rep. Ryan
00:15:28 Rep. Ballance
00:15:47 Sen. Olszewski

00:16:38 **Vote:** Motion failed 3-4 by roll call vote with Sen. Caferro, Rep. Knokey and Rep. Ryan voting aye.

00:17:30 **Motion/Vote:** Rep. Cook moved **DP 7003, PRAMS, WHICH IS PREGNANCY RISK ASSESSMENT MONITORING SYSTEM.**
Motion carried unanimously by voice vote.

00:18:01 **Motion:** Rep. Cook moved **DP 2104, SNAP BENEFIT STATUTORY APPROPRIATION.**

Discussion:

00:18:18 Quinn Holzer, LFD
00:19:02 Chair Cook
00:19:15 Rep. Ballance

00:20:05 **Vote:** Motion failed 3-4 by roll call vote with Sen. Caferro, Rep. Cook and Rep. Ryan voting aye.

00:20:57 **Motion/Vote:** Rep. Cook moved **DP 33300, SUBSTANCE ABUSE TREATMENT REFINANCE.** Motion carried unanimously by voice vote.

00:21:30 **Motion/Vote:** Rep. Cook moved **DP 10100 YOUTH CRISIS DIVERSION ONE TIME ONLY MONEY.** Motion carried unanimously by voice vote.

00:22:06 **Motion/Vote:** Rep. Cook moved **DP 2101 CHILD CARE FEDERAL AUTHORITY.** Motion carried unanimously by voice vote.

00:22:47 **Motion:** Rep. Cook moved **DP 4003 CHILDREN'S TRUST FUND FUNDING.**

Discussion:

00:23:01 Sen Olszewski

00:23:27 Chair Cook

00:23:36 Erica Johnston, Department of Public Health and Human Services (DPHHS)

00:24:09 Chair Cook

00:24:19 Rep. Ballance

00:24:55 **Vote:** Motion carried unanimously by voice vote.

00:25:10 **Motion:** Rep. Cook moved **DP 22116 EMVH FEDERAL AUTHORITY PER DIEM.**

00:25:27 Quinn Holzer, LFD

00:26:10 **Vote:** Motion carried unanimously by voice vote.

00:26:20 **Motion:** Rep. Cook moved **DP 3991 FOSTER CARE ADOPTION GUARDIANSHIP CASELOAD.**

Discussion:

00:26:40 Rep. Ballance

00:27:22 Pat Sullivan, Office of Budget and Project and Planning (OBPP)

00:27:43 Chair Cook

00:27:52 **Substitute Motion:** Rep. Ballance made a substitute motion **TO MAKE THIS A NEW PROPOSAL AND HAVE IT A ONE TIME ONLY UNRESTRICTED. TO ACCEPT DP 3991 WITH THE ADDITIONAL CAVEAT THAT IT'S ONE TIME ONLY.**

00:28:11 Chair Cook

00:28:25 Rep. Ballance

00:28:35 Quinn Holzer, LFD

00:29:05 **Substitute Motion:** Rep. Cook made a substitute motion **DP 3991 WITH THE CAVEAT THAT IT'S ONE TIME ONLY AND THAT IT IS RESTRICTED TO THIS LINE ITEM IN THE BUDGET.**

00:29:25 Rep. Ryan

00:29:45 Rep. Cook withdrew his motion.

00:29:59 **Motion/Vote:** Rep. Cook moved **DP 3991 AS IT STANDS.**
Motion carried 5-2 by voice vote with Sen. Keenan and Sen. Olszewski voting no.

00:30:41 **Motion:** Rep. Cook moved **TO MAKE DP 3991 ONE TIME ONLY AND RESTRICTED TO THE LINE ITEM USE IN THE BUDGET.**

Discussion:

00:30:56 Rep. Knokey

00:31:43 Sen. Olszewski

00:32:52 Rep. Ballance

00:33:46 Rep. Ryan

00:34:37 **Vote:** Motion carried 5-2 by voice vote with Sen. Caferro and Rep. Ryan voting no.

00:35:11 **Motion/Vote:** Rep. Cook moved **DP11004 HMK CASELOAD.**
Motion carried unanimously by voice vote.

00:35:40 Rep Knokey left meeting

00:35:44 **Motion/Vote:** Rep. Cook moved **DP 2103 INDIAN HEALTH SERVICE GRANT FUNDING.** Motion carried unanimously by voice vote. Rep. Knokey voted by proxy.

00:36:20 **Motion/Vote:** Rep. Cook moved **DP 22115 MONTANA VETERAN'S HOME PER DIEM PRESENT LAW ADJUSTMENT.** Motion carried unanimously by voice vote. Rep. Knokey voted by proxy.

00:36:52 **Motion:** Rep. Cook moved **DP 1, DP 2, DP 3, DP 53.**

Discussion:

00:37:19 Quinn Holzer, LFD

00:37:24 Sen. Olszewski left the meeting

00:38:13 **Substitute Motion:** Rep. Cook made a substitute motion **TO ACCEPT THESE FOUR DECISION PACKAGES AS IS TODAY WITH THE EXPECTATION THAT WE WILL ALSO APPLY ANY CHANGES THAT COME FROM SECTION A; MOVING DP 1, DP 2, DP 3, AND DP 53.**

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

February 17, 2017

PAGE 6 of 11

Discussion:

00:39:00 Quinn Holzer, LFD
00:39:22 Chair Cook
00:39:36 Sen. Caferro
00:40:05 Chair Cook
00:40:09 Rep. Ballance
00:40:30 Chair Cook
00:41:00 Rep. Ballance
00:41:07 Chair Cook
00:41:11 Rep. Ryan
00:41:26 Chair Cook
00:41:35 Quinn Holzer, LFD
00:42:05 Chair Cook

00:42:44 **Vote:** Motion carried 6-1 by roll call vote with Sen. Caferro voting no. Rep. Knokey and Sen. Olszewski voted by proxy.

00:43:29 **Motion/Vote:** Rep. Cook moved **DP 7004 THE RYAN WHITE EMERGENCY RELIEF FUND**. Motion carried unanimously by voice vote. Rep. Knokey and Sen. Olszewski voted by proxy.

00:43:58 Recess
01:15:50 Reconvene

01:15:52 Rep. Knokey and Sen. Olszewski joined meeting

01:15:57 **Motion/Vote:** Rep. Cook moved **TO ACCEPT THE DEPARTMENT'S FEBRUARY FEDERAL FUND NUMBERS FOR 2018 AND 2019**. Motion carried unanimously by voice vote.

01:16:54 **Motion:** Rep. Cook moved **TO RESTORE THE DURABLE MEDICAL EQUIPMENT INCONTINENCE SUPPLY; THE BILL FOR THAT IS \$2,648,610, INCLUDING THE FEDERAL FUND PORTION - THE MOTION IS TO RESTORE THE GENERAL FUND NUMBERS AND ACCEPT THE FEDERAL FUNDS AND ANY STATE SPECIAL THAT MIGHT BE IN THERE AS WELL**.

Discussion:

01:17:33 Quinn Holzer, LFD
01:18:14 Sen. Olszewski
01:18:46 Rep. Knokey

01:19:37 **Vote:** Motion carried unanimously by voice vote.

01:19:49 **Motion/Vote:** Sen. Caferro moved to **FUND THE ORIENTATION AND MOBILITY SPECIALIST FOR \$87,705 PER YEAR, GENERAL FUND AND TOTAL FUNDS**. Motion carried unanimously by voice vote.

01:21:07 **Motion:** Sen. Caferro moved **TO REINSTATE THE CUT TO THE DEVELOPMENTAL DISABILITIES WAIVER OF 2.2 MILLION DOLLARS GENERAL FUND OVER THE BIENNIUM.**

Discussion:

01:21:53 Rep. Ryan

01:22:01 Sen. Caferro

01:22:23 **Vote:** Motion carried unanimously by voice vote.

01:22:40 **Motion:** Rep. Knokey moved **TO APPROVE DP 22022 CONTINGENT ON LC 2603 TRANSFER TO GENERAL FUND.**

Discussion:

01:25:12 Rep. Ballance

01:25:48 **Vote:** Motion carried unanimously by voice vote.

01:26:04 **Motion:** Sen. Keenan moved **TO APPLY AN ADDITIONAL 4% VACANCY SAVINGS TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES WITH AN ASSOCIATED REDUCTION OF \$6,708,674 GENERAL FUND, \$1,017,176 STATE SPECIAL FUNDS, AND \$5,901,338 FEDERAL FUND AUTHORITY OVER THE 2019 BIENNIUM.**

Discussion:

01:26:49 Chair Cook

01:28:58 Rep. Ryan

01:29:40 Rep. Ballance

01:31:07 Chair Cook

01:31:40 **Vote:** Motion failed 2-5 by roll call vote with Sen. Caferro and Sen. Keenan voting aye.

01:32:18 **Motion:** Sen. Keenan moved **TO APPLY AN ADDITIONAL 2% VACANCY SAVINGS TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES WITH AN ASSOCIATED REDUCTION OF \$3,354,337 GENERAL FUND, \$508,558 STATE SPECIAL FUNDS, AND \$2,950,669 FEDERAL FUND AUTHORITY OVER THE 2019 BIENNIUM.**

Discussion:

01:33:10 Sen. Olszewski

01:34:08 Rep. Ryan

01:34:54 Rep. Knokey

01:36:17 Rep. Ryan

01:37:17 Rep. Ballance

01:38:18 Chair Cook

01:38:50 Sen. Olszewski
01:39:09 Sen. Keenan
01:39:47 Sen. Olszewski
01:40:13 Sen. Keenan

01:42:15 **Vote:** Motion carried 6-1 by roll call vote with Rep. Ryan voting no.

01:42:57 **Motion:** Rep. Cook moved **THAT THE DISABILITY EMPLOYMENT AND TRANSITIONS DIVISION IS APPROPRIATED AT \$775,000 OF STATE SPECIAL REVENUE FROM THE MONTANA TELECOMMUNICATIONS ACCESS PROGRAM (MTAP) DURING EACH YEAR OF THE 2019 BIENNIUM TO COVER A CONTINGENT FCC MANDATE WHICH WOULD REQUIRE STATES TO PROVIDE BOTH VIDEO AND INTERNET PROTOCOL RELAY SERVICES FOR PEOPLE WITH SEVERE HEARING, MOBILITY OR SPEECH IMPAIRMENTS.**

Discussion:

01:43:33 Rep. Ryan
01:43:39 Chair Cook
01:44:37 Rep. Ryan
01:45:12 Rep. Knokey
01:45:19 Chair Cook

01:45:32 **Vote:** Motion carried 4-3 by roll call vote with Sen. Caferro, Rep. Knokey and Rep. Ryan voting no.

01:46:05 **Motion:** Rep. Cook moved that **SENIOR AND LONG TERM CARE COUNTY NURSING HOME INTERGOVERNMENTAL TRANSFER MAY BE USED ONLY TO MAKE ONE-TIME PAYMENTS TO NURSING HOMES BASED ON THE NUMBER OF MEDICAID SERVICES PROVIDED. STATE SPECIAL REVENUE IN COUNTY NURSING HOME INTERGOVERNMENTAL TRANSFER ACCOUNTS MAY BE EXPENDED ONLY AFTER THE BUDGET OFFICE AND PROGRAM PLANNING HAS CERTIFIED THAT THE DEPARTMENT HAS COLLECTED THE AMOUNT THAT IS NECESSARY TO MAKE ONE-TIME PAYMENTS TO NURSING HOMES BASED ON THE NUMBER OF MEDICAID SERVICES PROVIDED AND TO FUND THE BASE BUDGET IN THE NURSING FACILITY PROGRAM AND THE COMMUNITY SERVICES PROGRAM AT THE LEVEL OF \$564,785 FROM THE COUNTIES PARTICIPATING IN THE IGT PROGRAM FOR THE NURSING FACILITIES.**

Discussion:

01:47:02 Quinn Holzer, LFD
01:47:34 Pat Sullivan, OBPP

01:48:35 **Vote:** Motion carried unanimously by voice vote.

01:48:48 Chair Cook

01:49:15 Recess

02:11:35 Reconvene

02:11:43 **Motion/Vote:** Rep. Cook moved **DP 7006 ADJUSTMENT IN TOBACCO SETTLEMENT FUNDS**. Motion carried unanimously by voice vote.

02:12:20 **Motion:** Rep. Ryan moved **TO ADD \$6,879,564 IN STATE FUNDS AND \$13,407,087 IN FEDERAL FUND AUTHORITY IN EACH YEAR OF THE 2019 BIENNIUM TO FUND A \$1 PER HOUR WAGE INCREASE FOR DIRECT CARE WORKERS IN DEVELOPMENTAL SERVICES AND SENIOR LONG TERM CARE DIVISION. THE TOTAL BIENNIUM IS \$13,768,257 STATE FUNDS \$26,805,045 FEDERAL AUTHORITY FOR A TOTAL OF \$40,573,303 ALL FUNDS. THE DEVELOPMENTAL SERVICES DIVISION WILL RECEIVE \$5,915,342 IN STATE FUNDS \$11,182,258 IN FEDERAL FUNDS OVER THE 2019 BIENNIUM FOR A TOTAL OF \$17,097,600 ALL FUNDS. THE SENIOR AND LONG TERM CARE DIVISION WILL RECEIVE \$7,852,915 IN STATE FUNDS AND \$15,622,788 IN FEDERAL FUNDS OVER THE 2019 BIENNIUM FOR A TOTAL OF \$23,475,703 ALL FUNDS. ALL FUNDS ARE RESTRICTED TO THE SOLE PURPOSE OF INCREASING WORKER WAGES AND MAY NOT BE USED TO PAY FOR ANY EMPLOYEE BONUSES IN LIEU OF WAGES.**

Discussion:

02:14:53 Rep. Knokey

02:16:36 Chair Cook

02:17:24 Sen. Olszewski

02:17:37 Rep. Ryan

02:17:55 Josh Poulette, Legislative Fiscal Division (LFD)

02:18:19 Sen. Olszewski

02:19:55 Rep. Ballance

02:21:58 Chair Cook

02:22:58 Sen. Caferro

02:25:17 Rep. Knokey

02:26:01 Rep. Ryan

02:27:39 **Vote:** Motion failed 2-5 by roll call vote with Sen. Caferro and Rep. Ryan voting aye.

02:28:11 **Motion:** Sen. Caferro moved **TO ADD \$430,400 PER YEAR OF THE BIENNIUM TO THE CHILD AND FAMILY SERVICES BUDGET TO FUND A ONE-TIME STIPEND OF \$200 TO BE PAID TO FOSTER CHILDREN IMMEDIATELY UPON PLACEMENT FOLLOWING REMOVAL FROM THEIR HOME. THIS MONEY WILL BE USED TO PURCHASE SUPPLIES FOR THE CHILD SUCH AS CLOTHING, DIAPERS, SNOW PANTS, SCHOOL SUPPLIES. IT WILL BE FUNDED WITH FEDERAL TANF FUNDS AND ADDED AS A RESTRICTED LINE ITEM TO THE MOTION.**

Discussion:

02:28:58 Chair Cook
02:29:17 Rep. Ballance
02:29:35 Quinn Holzer, LFD
02:29:51 Rep. Ryan
02:30:38 Sen. Caferro
02:30:53 Quinn Holzer, LFD
02:31:09 Sen. Caferro

02:31:26 **Vote:** Motion carried unanimously by voice vote.

02:31:35 **Motion/Vote:** Rep. Cook moved **TO ACCEPT THE DEPARTMENT'S ESTIMATES FOR 2018 AND 2019 FOR STATE SPECIAL FUNDING.**
Motion carried unanimously by voice vote.

02:32:17 **Motion:** Rep. Cook moved **TO REDUCE THE GENERAL FUND MONEY BY THE DIFFERENCE BETWEEN OUR ESTIMATES FOR STATE SPECIAL AND THE DEPARTMENT'S.**

Discussion:

02:33:19 Sen. Olszewski
02:33:32 Chair Cook
02:33:44 Sen. Caferro
02:33:57 Chair Cook
02:34:06 Sen. Caferro
02:34:14 Chair Cook

02:34:45 **Vote:** Motion carried unanimously by roll call vote.

02:35:23 Chair Cook
02:35:45 Sen. Caferro
02:35:51 Chair Cook
02:35:54 Sen. Caferro
02:36:02 Rep. Ballance
02:36:28 Chair Cook

ADJOURNMENT

Adjournment: 02:36:41

Carolyn Tschida, Secretary

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Additional Documents:

EXHIBIT([jhh35aad.pdf](#))